

COLOMBIA

Sponsored by Unite Graphical,
Paper and Media Sector

Human Rights Abuses Report

Justice for Colombia Delegation of UK Trade Unionists, Parliamentarians and Lawyers to Colombia
November 29 – December 6, 2009.

From the diary kept by Glenn Jackson, Unite Father of the Chapel at Nampack in Leeds, member of the Unite Graphical, Paper and Media Industrial Sector Committee and Unite EC member.

Colombia is approximately the size of the UK, France and Spain combined and has a population of around 45 million and it produces petroleum, coal, emeralds, nickel, gold, copper, iron ore, natural gas, coffee, bananas, sugarcane, textiles, cut flowers and palm oil among other products. Over half of all exports go to the United States and the neighbouring countries of Venezuela and Ecuador.

For more than 40 years there has been a war in Colombia between government forces and leftwing guerrilla groups. In more recent years' army-backed rightwing paramilitary organisations have joined the conflict; the war is still being fought today and continues to cause immense suffering for the people of Colombia.

There is much debate surrounding human rights abuses in Colombia that is usually centred on two issues: Is the human rights situation improving or deteriorating, and who is responsible for the abuses? Well-respected human rights organisations such as the Colombian Commission of Jurists (CCJ) contend that the Colombian State is responsible for the majority of the abuses, though this is denied by the Colombian authorities. Justice for Colombia agrees with the CCJ's assessment.



What is indisputable is that Colombia has by far the worst human rights record in the Western Hemisphere. Severe abuses occur all over the country on a daily basis and Colombia is the only South American country to appear on the 'major countries of concern' human rights list maintained by the UK Foreign Office.

The current President of Colombia, Alvaro Uribe, was first elected in 2002 following it, in 2006, with a landslide victory that gave him four more years which he said he needed to tackle Colombia's armed groups and drug-traffickers and to deliver on his 'democratic' implementation plan. He is now facing challenges in securing another change to the constitution that will allow him to be able to run yet again. In June 2009, the Supreme Court called for an investigation into the legality of his 2006 re-election after a former politician was convicted of taking a bribe to support the constitutional reform that granted Mr. Uribe a then unprecedented second term.

Currently, the Uribe government is embroiled in a lobbying campaign, to attempt to secure a Free Trade Agreement with Europe, that states that trade union rights and human rights are being respected and that the situation is improving all the time; the reality is that the trade unionists are still being killed, receiving threats, 'being disappeared' and having communications intercepted by the DAS (the President's intelligence service). Many criminal groups also operate in Colombia and these groups control neighbourhoods and anyone who gets in their way is 'dealt with' – this includes trade unionists (38 killed so far in 2009), priests and human rights activists.

Day 1- Sunday 29 November

The theme of the week seemed to be set as, after a long flight, the delegation arrived at Bogotá airport; tight security was immediately evident as we were greeted by armed police with sniffer dogs, stringent travel document checks and baggage searches.

A police escort 'accompanied' us on the journey from the airport and, as we neared our hotel, we were met by armed soldiers - some manning barricades, others patrolling the streets. Our brief was not to go outside alone – even during the day and not to leave any itinerary documents containing details, locations and meeting times of our visit on show as trade unionists are monitored all the time and are continually under threat.

On our arrival at the hotel we were given a short overview of the current political, social and economic situation in Colombia by Dr. Carlos Lozano. Carlos is the editor of the opposition newspaper VOZ and is a candidate for Congress for the opposition Democratic Pole political party; he is one of the most threatened people in Colombia and has to travel everywhere in armoured cars,

accompanied by bodyguards. He explained that this was a dynamic moment in the political situation in the country with regard to election campaigning – elections for Congress will be held in March 2010 and the Presidential election takes place in May 2010.

Another topical issue is that of the 7 US air bases which has been 'agreed' will be sited in Colombia but this development is seen as a serious threat by neighbouring countries, especially Venezuela; the Democratic Pole party and trade unions are opposed to the plan and are calling for a diplomatic solution.

The delegation then met with John Dew, the British Ambassador to Colombia, and he echoed Carlos Lozano's comments and further stated that it was indeed a very uncertain time in the country with the forthcoming elections and that Uribe was not sure to stand as there are many obstacles in the way. More and more people think that it's a bad idea for Uribe to seek re-election but, because his position is currently stalled due to constitutional difficulties, other candidates in the election process cannot get their campaigns underway.

Day 2 – Monday 30 November

The first item on the day's agenda was a visit to the bomb-proof national headquarters of the CUT trade union confederation (the Colombian equivalent of the TUC) where we met with the CUT Executive.

The CUT is the largest trade union confederation in Colombia with approximately 700,000 members' in around 700 affiliated unions; its Executive is made up of 21 members, representing a broad range of sectors.

The President (of the Executive), Tarsicio Mora, was away negotiating the minimum wage (he joined us later in the morning) and so the meeting was opened by one of his colleagues who stated that the presence of our delegation was so important to the people of Colombia – this was a sentiment that would be repeated constantly throughout our visit.

In the afternoon a meeting took place in the offices of the CAJAR human rights lawyers collective with Colombia's principal human rights organisations and with victims of human rights abuses, including former political prisoners', who wished to give their testimonies to the delegation.

It appears that a number of scandals have 'come to light' in 2009 with the Uribe government being involved in illegal activities; intelligence work, or 'inspections', are carried out on trade union activists, human rights activists, the CAJAR collective (including admin staff, secretaries, family, children), the Democratic Pole, opposition politicians, independent journalists and links to affiliated bodies; lawyers' have seen documented evidence of the intelligence work that has been carried out.

President Uribe set up the DAS (Administration Security Department) in 2002-2003 and it is this organisation, and the illegal G3 unit that operates within it, that undertakes the intelligence work and the monitoring. Currently there are 4 former directors of DAS under investigation although, ironically, the courts and prosecutors that are looking in to the allegations are being monitored, have been wiretapped and had conversations recorded.

7,200 people are believed to be detained for political motives and for membership of social organisations; their rights are violated once again as they are denied family access and moved from prison to prison so that relatives cannot keep track of them and, in addition, they suffer rejection from other prisoners' as they are regarded as guerrillas.

A current campaign entitled 'Overcoming The Walls' is making these issues more visible and the case of Carmelo Agamez, community leader and head of a local chapter of MOVICE (National Movement for Victims of State Crime), was debated and highlighted as a landmark case; he has been imprisoned for about 1 year, has not seen the evidence against him nor told who his accuser is. Local politicians are implicated in his arrest and this has led to public evidence and statements being acted upon leading to due judicial process. Agamez is accused of links to the paramilitaries and this is demoralising for the movement (MOVICE) but international pressure to drop the charges against him and have him released, is building.

The MNVC de Estado (MOVICE), a coalition of hundreds of organisations representing people that are victims of violence, was established to encourage victims to testify and to 'name names' yet receives no state funding for its work and must rely upon international contributions; it cannot get its message through the Colombian media therefore it must rely upon the international community. The MNVC has gone into public and private universities to deliver speeches and presentations and has also set up photo galleries of victims of the conflict in public spaces and parks to raise awareness and consciousness; the organisation also provides a monthly publication report in English and Spanish on the issues.

Day 3 – Tuesday 1 December

The delegation travelled to the poor southern Bogota neighbourhood/ municipality of Soacha where many women were prepared to give testimonies to us in denouncement of extrajudicial executions.

A recent scandal exposed the practice of 'extrajudicial executions' carried out by the army who regularly murder the poor and peasant farmers and then dress their bodies in guerrilla uniforms in order to present them as if they were guerrilla fighters killed in combat – the motive appears to be that soldiers receive promotions and bonuses when they kill guerrillas. Last year the UN High Commissioner for Human Rights stated that the extrajudicial killings "appear systematic and widespread". Under President Uribe these killings have increased massively and there have been well over 2,000 civilians murdered in recent years.

Many women 'queued up' to speak to us but we were only able to hear five lengthy and harrowing testimonies of these killings. When the boys are reported missing or do not return home then family members try to ascertain their whereabouts but the authorities, the Attorney General's office, the forensic department and the local military base are obstructive, often deny any knowledge, and pass grieving relatives from 'pillar to post'.



Helicopter gunships fly overhead at La Macarena

President Uribe claims that the young men are guerrillas but the women of Soacha, quite rightly, ask how it is possible for young men who are decent, hard working and loving one day to become guerrillas overnight; they want the killing of defenceless boys, and the blood spilling, to stop. The women regularly go in to schools in the local area to educate and forewarn children about the issue and the danger.

On our return to Bogota we attended a meeting in the Congress building with several senior members' of the opposition Democratic Pole party; there are two main opposition parties in Colombia – the Liberals and the Democratic Pole.

Senator Gloria Ramirez, President of the Peace Commission and former CUT Executive member, chaired the meeting, attended by both Senators' and Congressmen, and opened by thanking the delegation for the support from the UK for the political opposition work in Colombia

The Democratic Pole has 8 members' in the House of Representatives and 11 in the Senate; the House, with 166 members, is elected to serve the regions whilst the Senate, with 102 members', is elected for national representation but the Uribe government has a majority in Congress through coalition with many other parties.

Corruption and bribery are manifest in Congress and 61 members' are currently under investigation; as previously stated there is already an on-going investigation into Uribe's latest re-election attempt as this violates the Colombian constitution.

In the evening our delegation met union members and officials from several Colombian trade union groups, federations and affiliations covering public and private sectors. Representatives from FENALTRASE (public sector), ANTHOC (health sector), FUNTRAENERGETICA (mining, chemicals, metals, energy & Petroleum sectors), SUTIMAC (construction sector) and USO (oil industry workers) gave a perspective on the current situation in Colombia with particular reference to trade union membership rights, human rights abuses and the role of the multinationals.

Day 4 – Wednesday 2 December

The day started very early with a 1 hour internal flight, over mountains and jungle, to the south of Bogota arriving at the airstrip at the rural, remote and underdeveloped village of La Macarena (a locality from which most of the jungle has now been cleared) although the communities have grouped together to create their own infrastructure – limited and basic as this may be.

As we touched down we were 'greeted' by groups of heavily armed soldiers; though La Macarena is under the control of the Colombian army, the surrounding countryside is under the influence of the FARC guerrilla group and 2000 troops had been deployed from the base on 'military manoeuvres' the day before.

The region, home to coca cultivation (the raw ingredient for cocaine), has been one of the hardest hit by extrajudicial executions, forced displacement and mass detentions. The army regularly accuses the local population of supporting the guerrillas, has blocked access to many areas and denied the locals any economic or medical facilities and we were here, once again, to hear testimonies from both men and women from the village and local communities in denouncement of loved ones that had disappeared or been killed.

Locals had travelled many miles to meet with our delegation; we listened to the testimonies in a small building behind the church as helicopter gunships and aircraft flew constantly overhead.

In 2002 Uribe launched a plan in the south of Colombia to defeat the FARC and the area was flooded with soldiers who ran amok, committed rape and other violations. The State has really abandoned the people in this region and left them subject to bombings and shootings; the locals pleaded with our group, "don't forget us and please help us as no one else cares".

La Macarena is at the heart of the Colombian Army's so-called 'Integral Consolidation Plan' – a US-designed counter insurgency plan that is the policy of Uribe and human rights violations are a vital element as the authorities seek to win the hearts and minds of the people and force peasant farmers' to stop growing the coca plant. Murdering the inhabitants seems to be a strange way to win over hearts and minds!

We then met with the Deputy Mayor and a female Human Rights Ombudsman from the Mayor's office who gave us their perspective on the situation.

Following this we then journeyed by army truck to meet the Colonel in command of the army brigade in the area; his headquarters were situated adjacent to a cemetery where we saw hundreds of unmarked graves containing thousands of bodies of, allegedly, guerrillas killed in combat.

The locals told us that when the bodies are brought to the cemetery, via helicopter, they are left in a 'new arrivals' building for a few days' until they start to decompose – then they are buried; the cemetery is on a small hillside and when it rains the water flows over the graves thus distributing infected bacteria in to the nearby river.

In order to identify individual family members, relatives have asked the Attorney General's office to conduct autopsies but this request is always denied.

The Colonel told us that the Army in the area was a rapid deployment force that consisted of 4 mobile brigades plus a special decisive action force (7,800 troops in total); the army's presence is necessary to fight the FARC, combat the drug traffickers but that it has an "open door policy and is here to help". He added that there was heavy investment in roads, bridges, schools and other parts of the local infrastructure – there was absolutely nothing in evidence to substantiate this claim, in fact it was exactly the opposite.

The delegation flew to Villavicencio (capital of the Meta province), half an hour away, to hear further testimonies and denunciations of human rights violations and extrajudicial executions. Our group split into 3 smaller ones in order that we could hear more testimonies – these followed the same pattern that we had heard previously in Soacha and La Macarena.

Day 5 – Thursday 3 December

The political block, Patio 6, of the Buen Pastor women's prison holds women who are awaiting trial as well as those already convicted. Most of those in the block will be either accused or convicted of 'rebellion' or 'terrorism'. There are also some young children in the block held with their mothers but they are separated and taken away when they reach the age of 3; if, on release, there is no relative to care for them then they are simply put in to welfare where they are treated very badly. Inmates include trade unionists, student leaders and community activists, as well as members of the FARC and ELN guerrilla groups. It is clear who the guerrilla prisoners are as they are open about their status and sometimes describe themselves as 'prisoners of war'. There are currently 7,200 political prisoners' in Colombia although their existence is denied by the Government.

Patio 6 has capacity to hold 60 prisoners' but 90 women are 'housed' there at the moment with 3 to a cell but only 2 beds; there are 4 showers, all with cold water, 4 toilets (not working properly), 2 stoves (electric rings) to serve all the women prisoners' – one stove for the mothers' with children, the other for those without and the women also have to contend with rats and cockroaches. The women are not allowed outside the compound (unlike other prisoners); they have a 'workroom' where they do sewing work in order to take time off their sentence and have created their own library as they are not allowed in to the main prison library. Prior to hearing several testimonies they told us that we were their "voice and eyes on the outside world" and that, as political prisoners on Patio 6, they are dead women walking".



The Mass Graves at La Macarena

In the afternoon, and following the visit to Buen Pastor, the JFC delegates, made 'guests of honour' at the FENSUAGRO Conference, were thanked for their visit to see Colombia's problems and involved in the opening ceremony of the conference (including a full rendition of The Internazionale). FENSUAGRO, formed in 1976 and currently with 100,000 members, was celebrating its 10th conference in 33 years.

FENSUAGRO, which is affiliated to the CUT, is the second largest trade union in Colombia and represents small and medium scale peasant farmers as well as workers' on multinational-owned banana, sugarcane and African palm plantations. The members' of FENSUAGRO have suffered more human rights abuses than workers' in any other sector, with the possible exception of the education sector. Around 1500 of the union's members' have been assassinated and thousands of others have been forced from their homes and land as a result of death threats. Approximately 150 FENSUAGRO activists are currently being held in jail and union members' and leaders' are often accused of links to the FARC guerrilla group – many because they come from or are based in rural regions where the guerrillas have a heavy presence. The entire leadership of the union is in grave danger, their former General Secretary was murdered in front of the FENSUAGRO head office in central Bogota, and all of those attending the conference are under extreme threat.

Unite the Union and Thompson's Solicitors have for several years provided assistance to FENSUAGRO's Human Rights Department, which has helped pay for legal costs that has led to several members' being released from prison. In April 2009, Unite signed a formal partnership agreement with FENSUAGRO that involves joint campaigning around trade union and human rights issues with Unite making it clear, to the Colombian authorities, that any attack on a FENSUAGRO member will be treated as an attack on a Unite member. This agreement provides a huge amount of solidarity and protection to the Colombian union.

The agreement is a 'partnership for life' and a press conference was held where Ben Richards (Unite the Union International Department), supported by the two NEC members' (Mark Lyon & Glenn Jackson) denounced Colombia as 'the most dangerous place in the world for trade unionists', read the formal agreement in full and reiterated the point that an attack on a FENSUAGRO member will be viewed as an attack on a Unite member and that the situation in Colombia necessitates international solidarity and support.

Day 6 – Friday 4 December

About a month prior to our visit it had been agreed with the Colombian Ambassador in London that a meeting between the JFC delegation and members of the Colombian government should be arranged; this breakfast meeting took place in the Foreign Ministry in Bogotá and the agenda was set by them in order that they could present their views of the situation in Colombia. Officials from the Foreign Ministry, Ministry of Social Protection, Ministry of the Interior & Justice, Ministry of Defence, The Attorney General's office and the DAS secret police were all present – however their presentation was given, and our questions were answered, by the Chair of the group.

The delegation had a full list of concerns and questions that was delivered to, and raised with, the authorities for them to respond to in due course. Here are the points raised:

- The visit to Patio 6 in Buen Pastor, the conditions and treatment of the political prisoners' being held there.
- La Macarena – the question of the hundreds of unmarked graves and requests for access to the forensic reports.
- Impunity – the continuation of allowing killers to get away with murdering civilians.
- Extrajudicial Executions – appearing to be systematic and not confined to one region – with testimonies to support this.
- Criminalisation of Opposition – stories of mass detentions, arrests, killings, disappearances, forced displacements and other actions designed to criminalise anyone who is opposed to the Government
- FENSUAGRO – why is the Government prepared to allow continued human rights abuses?
- Humanitarian Exchange – why is the Government opposed to a negotiated peace settlement and a humanitarian exchange of prisoners?
- Privatisation of Trade Union Protection Schemes – concern was expressed at the apparent reports that the protection of trade union leaders' may be privatised as a direct result of reorganisation of the DAS structure.
- British Aid – could the delegation be given a full breakdown of how Britain is assisting the Colombian government at the moment with reference to aid and intelligence support?
- Free Trade Agreement – the ongoing dialogue between the EU and Colombia to try to secure a FTA.

In quick succession there followed a series of meetings with the Editor of 'El Espectador' newspaper about human rights abuses in Colombia, representatives from the CGT trade union confederation who were attempting to present a pro FTA argument and Dr. Daniel Mejia, Professor of Economics at the University, with a PowerPoint presentation to show that, following a study that he had 'researched', violence against trade unionists is not systematic and is indeed on the decline.

Day 7 – Saturday 5 December

The delegation had met the British Ambassador just after our arrival on the first evening and he had given us his perception of the current situation in Colombia but he felt sure that we would come back to him at the end of the week with a presentation of our own following what we would see and hear – we did not disappoint him.

On the last morning a brunch meeting was arranged between the Ambassador (accompanied by two human rights representatives) and our delegation at his residence in the outskirts of Bogotá. There was a frank exchange of views in which he was presented with a summary of our findings as documented and delivered to the Colombian authorities in the Foreign Ministry the previous day.

Immediately prior to the conclusion of this get-together, members of the delegation were asked if there was anything else to be added and I spoke directly to the Ambassador and his two associates, when I said:

"I am neither a diplomat nor an academic – I am a Shop Steward in a huge multinational company and, therefore, my language is often industrial and plain.

"I did not know what to expect before my visit to Colombia although I have followed events in the country, watched the JFC DVD and participated in globalisation schools where my knowledge and understanding has risen dramatically. I have been deeply disturbed and angered by what I have seen this week and, during the visit, my colleagues and I have heard, first hand, testimonies from the many people that we have met; these testimonies give accounts of rape, torture, mass detention, arbitrary detentions, extrajudicial executions and much, much more.

"Our briefing notes, for the visit to Colombia, explained that there is some debate surrounding human rights issues in this country. In Soacha, in La Macarena, in Villavicencio we have listened, all of us close to tears, to the harrowing stories of abuses, violations and atrocities; these denouncements leave no room for debate whatsoever.

"This is not a reflection on your comments this morning, but general appeasements and platitudes that:

- i) the human rights situation in Colombia is improving or*
- ii) the stories of abuses are exaggerated or*
- iii) these violations are not taking place at all*

are, with all due respect John, JUST ABSOLUTE BOLLOCKS and I urge you to go see these places, and listen to the testimonies, for yourself!"



IN MEMORIAM – JHONNY HURTADO

On Thursday, 18 March, 2010, I received an e-mail that contained the following details:

"Very sad news has come from Colombia that one of those with whom you met during your visit to La Macarena was murdered on Monday afternoon. His name was Jhonny Hurtado and he was the President of one of the local human rights committees who gave testimony to the delegation.

We don't have all of the complete details of what happened yet but it would appear that some

individuals arrived at his house and shot him either in the doorway or as he was trying to escape. Either way, he got 30 metres from his house before falling on the ground dead. At the time the area was swarming with soldiers from the 7th Mobile Brigade of the Colombian Army and though we think it was them, we are not sure".

Conclusion

The delegation on this trip to Colombia will, in due course, be producing its own report but I felt compelled to put into words my own thoughts and experiences from this most disturbing, yet exciting and rewarding, of visits. I remain deeply offended and angry having witnessed the poverty, grief and despair of fellow human beings and listened incredulously to accounts of murder, disappearances, mass detentions and other obscenities.

Our group was 'afforded', through JFC influence, access to locations that might, at first, seem implausible – the 'war zone' areas of La Macarena & Villavicencio and Buen Pastor Prison (where the conditions on Patio 6 are inhumane) being two prime examples. Testimonies (about 70 in total), with a full list of names, dates and details, were given to our delegation and this information will be delivered to, and raised with, the relevant and necessary authorities; it would, I think, have been remiss of me to have included a selection of the testimonies whilst omitting others.

Two tearful statements, still ringing in my ears, "don't forget us and please help us as no one else cares" and "you are our voice and eyes on the outside world and, as political prisoners on Patio 6, we are dead women walking" are indelibly etched in my mind.

I did not know what to expect before I arrived but, having witnessed so much, the situation in Colombia, and the plight of its people, must be made high profile and publicised to the international community; the human rights abuses and violations must cease, humanitarian exchange and peace talks must be encouraged in order to attempt to bring an end to the conflict and the continuing bloodshed. The proposed Free Trade Agreement with the EU must be blocked – any other outcome would appear to endorse the actions of the Colombian government, give it credence, legitimise the human rights violations in the country and be an absolute travesty.



The JFC delegation pictured at the FENSUAGRO conference

The JFC Delegation

Luke Crawley, BECTU Assistant General Secretary

Jeremy Dear, NUJ General Secretary

Jeff Ennis, Labour MP for Barnsley East & Mexborough and Deputy Regional Minister for Yorkshire & Humber

Glenn Jackson, Unite NEC Member

Jim Kennedy, UCATT Political Officer & Labour Party NEC Member

Mariela Kohon, Justice for Colombia Office and delegation coordinator

Mark Lyon, Unite NEC Member

Sarah Merrill, Justice for Colombia Parliamentary Officer

Ben Richards, Unite International Department

Joanna Stevens, People & Organisation Director, Thompson's Solicitors

Spencer Wood, Partner, OH Parsons Solicitors

Paul Chambers and **Victor Figueroa** interpreted for the delegation.



www.justiceforcolombia.org

www.unitetheunion.com

